

**CARROLLTON CITY COUNCIL  
REGULAR MEETING AND WORKSESSION  
APRIL 16, 2024**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, April 16, 2024 at 5:45 p.m. with the following members present: Mayor Steve Babick, Mayor Pro Tem Nancy Cline, Deputy Mayor Pro Tem H.A. "Rusty" Pendleton, Councilmembers Christopher Axberg, Jason Carpenter, Richard Fleming, Andrew Palacios, and Daisy Palomo. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy and Chrystal Davis, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

**5:45 P.M. – COUNCIL BRIEFING ROOM**

**\*\*\*PRE-MEETING \*\*\***

Mayor Babick called the meeting to order at 5:45 p.m.

**1. Receive information and discuss Agenda.**

Agenda items were reviewed. Staff responded to Council's questions.

Mayor Babick stated that Consent Agenda Item 20 will be pulled. He also stated that Item 25 will be removed from consideration and will come back to the Council at the first meeting in May.

Regarding Agenda Item 26, *Consider Adopting The Community Funding Policy*, Finance Director Melissa Everett provided a presentation. She reviewed proposed changes to the Community Funding Policies that includes combining the policies for Service Funding and Events Funding. It was noted that the application process is scheduled to begin on May 1<sup>st</sup>. After being reviewed by the Community Funding Committee, the City Council will consider the applications during the budget process.

Councilmember Fleming suggested a Worksession be scheduled. However, it was discussed that timing for the application process and budget cycle is not favorable to scheduling a Worksession.

Mayor Pro Tem Cline, who is a member of the Community Funding Committee along with Council members Palomo and Axberg, offered additional comments for consideration. She suggested that the proposed attendance number of 50,000 people for Major Events is too high, and also suggested striking the text "recurring every 5 years" as it relates to the definition of Major Events.

Following discussion, the Council's consensus was to establish the Major Event attendance to more than 40,001 people, and to strike "recurring every 5 years" as recommended by Mayor Pro Tem Cline.

**\*\*\*EXECUTIVE SESSION\*\*\***

- 2. Council will convene into Executive Session pursuant to Texas Government Code:**
- **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.

3. Council will reconvene in Open Session to consider action, if any, on matters discussed in the Executive Session.

*Executive Session was not convened.*

**\*\*\*WORKSESSION\*\*\***

4. **Receive Briefing From The Denton County Transportation Authority (DCTA) On Project Status And Operations.**

Paul Cristina, President of DCTA, introduced DCTA Board of Directors and Executive Team, some of whom were present. He provided an overview of 2023 major accomplishments for the DCTA and provided statistics on ridership, safety, and service performance.

Mr. Cristina provided an update on the A-Train Enhancements Program including extending services to downtown Carrollton, increasing train frequency to every 15-minutes, and consideration of a new station in Corinth. Phases and considerations for each were reviewed. Additionally, Mr. Cristina stated that the DCTA owns land in Old Town Lewisville and is collaborating with developers to create a station there. In the future, plans are to continue efforts to extend service to downtown Carrollton, hire a program management consultant, and continue discussions on regional transit. In response to Mayor Pro Tem Cline's question, Mr. Cristina stated that there is not a time set for services in downtown Carrollton.

5. **Receive Briefing On Modifications To The Tree Removal And Replacement Program To Include Trees On Private Property That Are Under Overhead Electricity Or Utility Lines.**

Ravi Shah, Director of Development Services, provided background information on the city's tree removal ordinance that currently applies only to trees in the city's right-of-way. He also explained that Oncor prohibits trees from being pruned that extend to any 10-foot radius of their power lines.

Mr. Shaw advised that a location/inventory map of Carrollton's trees was created and identifies trees in three categories: those that can remain, those that need to be monitored, and those that need to be removed because they are hazardous to public safety. He noted that there are 234 trees currently under power lines.

Mr. Shaw reviewed that the city's tree ordinance requires mitigation of trees removed by developers or for payment-in-lieu-of into a tree restoration fund. He noted that trees in an Empowerment Zone are exempt from the ordinance. Mr. Shaw provided photos of three trees on Crosby Road that are on private property and are in need of removal, however, the current ordinance does not allow the city to act.

Mr. Shaw advised that staff is recommending adding text to the city's tree ordinance to include trees on private property under power lines. He reviewed the proposed criteria that includes a grant program to allow property owners to receive reimbursement for replacement trees. He noted that the Re-Development Committee would review such applications prior to Council consideration. Mr. Shaw reviewed the next steps in this process. Deputy Mayor Pro Tem Pendleton spoke in favor of this proposal.

**6. Mayor And Council Reports And Information Sharing.**

Council reviewed their recent activities and upcoming events.

*Worksession concluded at 7:12 p.m.*

**\*\*\*REGULAR MEETING 7:00 P.M.\*\*\***

Mayor Babick called the Regular meeting to order at 7:20 p.m.

**INVOCATION** – Councilmember Andrew Palacios

**PLEDGE OF ALLEGIANCE** – Councilmember Richard Fleming

**PRESENTATIONS**

**7. Present Proclamation To Western Extrusions Employees For Life-Saving Efforts.**

Mayor Babick read a Proclamation recognizing a Western Extrusion employee for his heroic actions to rescue an individual who had driven into a pond near his workplace. The Proclamation also recognizes April 16<sup>th</sup> as:

**“Western Extrusions Employee Appreciation Day”**

**8. Present Proclamation Recognizing Records Awareness Month.**

Mayor Babick read a Proclamation recognizing April as:

**“Records and Information Management Month”**

The Proclamation was presented to City Secretary Chloe Sawatzky and Records Coordinator Alexandra Cardaropoli.

**9. Proclamation Designating The Month Of May 2024 As Building Safety Month In Carrollton.**

Mayor Babick read a Proclamation recognizing May 2024 as:

**“Building Safety Month”**

The Proclamation was presented to Building Inspection staff. Building Official Brett King made brief comments.

**PUBLIC COMMENT**



10. **Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.**

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Mayor Babick opened the public comment period.

Adam Polter, 2180 Creek Hollow Dr: Spoke regarding Item 26 and in support of keeping the Community Funding Policy limit at \$25,000.

Todd Van Galen, 4624 Maverick Way: Spoke regarding Item 21 and requested information on residents' procedures and options as they relate to tree removal resulting from construction in his neighborhood.

#### **CONSENT AGENDA**

*(\*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)*

**Councilmember Palacios moved to approve Consent Agenda Items 11-19, 21-24, and 26 as amended; second by Mayor Pro Tem Cline. The motion was approved with a unanimous 7-0 vote.**

#### **MINUTES**

- \*11. Consider Approval Of The April 2, 2024 Regular Meeting Minutes.

#### **BIDS & PURCHASES**

- \*12. Consider Approval Of BID #24-027 For The Purchase Of Rebar And Accessories From CF Metals In An Amount Not To Exceed \$275,000.00 Annually For A Total Three-Year Contract Amount Not To Exceed \$825,000.00.
- \*13. Consider Approval Of Contract Amendment No. 1 To RFP #22-008 For Boring And Trenching Services For Multiple Departments From Tejas Utilities, LLC In An Amount Not To Exceed \$278,304.60, For A New Total Contract Amount Not To Exceed \$411,304.60.

- \*14. Consider Approval Of The Renovations To Two (2) Indian Creek Golf Course Comfort Stations By Dallas Harmony Construction Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$82,452.00.**
- \*15. Consider Approval Of #24-041 For Biller Agreement Renewal To Invoice Cloud In The Amount Of \$10,000.00 Annually, With A Total Contract Value Not To Exceed \$60,000.00.**
- \*16. Consider Approval Of BID #24-030 From HD Way Concrete Service, LLC For The Arterial Street Panel Replacement Projects On Keller Springs Road From Marsh Lane To Denton Drive And On Plano Parkway From Charles Road To Parker Road/FM 544 In An Amount Not To Exceed \$2,000,000 Annually, For A Three-Year Total Contract Amount Not To Exceed \$6,000,000.00.**

### **ORDINANCES**

- \*17. Consider An Ordinance of the City Council of the City of Carrollton, Texas, Authorizing the Issuance of “City of Carrollton, Texas, General Obligation Improvement and Refunding Bonds, Series 2024”; Levying a Continuing Direct Annual Ad Valorem Tax for the Payment of Said Bonds; Resolving Other Matters Incident and Related to the Issuance, Sale, Payment, and Delivery of Said Bonds; Establishing Procedures for the Sale and Delivery of the Bonds; Delegating Matters Relating to the Sale and Issuance of the Bonds to Authorized City Representatives; and Providing for an Effective Date.**
- \*18. Consider An Ordinance of the City Council of the City of Carrollton, Texas, Authorizing the Issuance of “City of Carrollton, Texas, Waterworks and Sewer System Revenue Bonds, Series 2024”; Pledging the Net Revenues of the City’s Combined Waterworks and Sewer System to the Payment of the Principal of and Interest on Said Bonds; and Resolving Other Matters Incident and Related to the Issuance, Sale, Payment, and Delivery of Said Bonds; Establishing Procedures for the Sale and Delivery of the Bonds; and Delegating Matters Relating to the Sale and Issuance of the Bonds to Authorized City Representatives.**
- \*19. Consider An Ordinance Amending The Operating Budgets And Capital Budgets For Fiscal Year October 1, 2023, Through September 30, 2024.**

### **RESOLUTIONS**

*Item 20 was pulled from the Consent Agenda.*

- \*20. Consider A Resolution Authorizing The City Manager To Negotiate And Execute An Economic Development Incentive Agreement With Prescott Interests LTD For The Renovation Of 1014 South Broadway, Suite 100, In An Amount Not To Exceed \$43,060.00.**
- \*21. Consider A Resolution Adopting The Tree Removal And Replacement Program Policy.**
- \*22. Consider A Resolution Authorizing The City Manager To Execute An Agreement Between The City Of Carrollton And The City Of Dallas, As Fiscal Agent, And Various**



**Other Texas Cities Providing For The FY 2022-23 Byrne Justice Assistance Grant Program Award Agreement.**

- \*23. Consider A Resolution Authorizing The City Manager To Execute An Agreement Between The City Of Carrollton And The City Of Dallas, As Fiscal Agent, And Various Other Texas Cities Providing For The FY 2023-24 Byrne Justice Assistance Grant Program Award Agreement.**
- \*24. Consider A Resolution Authorizing The City Manager To Enter Into A Contract With FORVIS, LLP For Independent Auditing Services In An Amount Not to Exceed \$130,000.**

*Item 25 was pulled from the Consent Agenda.*

- \*25. Consider A Resolution Authorizing The City To Participate In The State Of Texas Events Trust Fund Program To Support A Request From LIV Golf For A Golf Event At The Maridoe Golf Course In September 2024, With A Local Funding Match From The City Of Carrollton In The Amount Of \$124,110.00.**

*NOTE: Mayor Babick inadvertently included Item 26 in the Consent Agenda vote; Council voted on it again separately as it was posted below. Presentation on this item was heard and discussed during Worksession Item 1.*

**OTHER BUSINESS**

- 26. Consider Adopting The Community Funding Policy.**

**Councilmember Palomo moved to approve Item 26 as amended; second by Deputy Mayor Pro Tem Pendleton. The motion was approved with a 6-1 vote. Councilmember Fleming voted in opposition.**

**PUBLIC FORUM**


- 27. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.**  
Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Mayor Babick opened the Public Forum. There being no speakers, he closed the Public Forum.

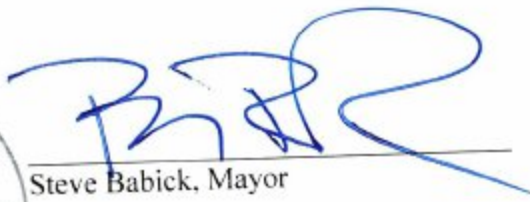
**ADJOURNMENT** - Mayor Babick adjourned the meeting at 7:37 p.m.



ATTEST:

  
Chloe Sawatzky, City Secretary



  
Steve Babick, Mayor